From: Dawney
To: Microsoft ATR
Date: 1/24/02 9:34pm
Subject: Microsoft Settlement

Antitrust Division
U.S. Department of Justice
601 D Street NW
Suite 1200
Washington, DC 20530-0001

January 24, 2002

Dear U.S. Department of Justice:

As a member of the public, I would like to add my comments on the Microsoft Settlement.

If I understand correctly, under the Tunney Act I may submit comments regarding the Microsoft Settlement documentation. In order to accurately convey my opinion, I must first clarify that I respectfully but strongly disagree that Microsoft has had or does have a monopoly in the web browser industry.

Our local news reported recently that our only local telephone utility provider is planning to share our personal information, including to whom we call and how long we stay on the phone line. Needless to say, the customers are not happy about this and are trying to get an opt-out option. But if we can't, and it is legal for the company to share our private information against our will, then we have no alternative but to continue using this utility company or to discontinue the use of our local phone service because there is no other option. THAT is a monopoly.

I am easily able to obtain and use Netscape or Internet Explorer or AOL if I so choose. These three web browsers are easy to find and affordable if not free. Microsoft has developed a successful operating system (and application software) that has revolutionized (actually introduced) the public to the ever-increasing benefits of personal computer use. It was not long ago that the market of computer users was a minute group limited to the isolation and dullness of DOS. The creation of Windows has given wings to the minds of developers and end users. Microsoft has cultivated its Windows operating system with improvements such as Internet Explorer that are a benefit to the consumer.

My perspective is that of great appreciation for successful development and true competition. Microsoft has no more channels of opportunity than any other company as far as marketing and distribution, unless they've created their own, which is productive innovation. If Microsoft is successful in distributing knowledge about its products and creating accessibility, it is commendable and a plus for consumers.

I've read that it would be too expensive for Netscape to develop its own competing operating system. Too expensive for whom? Netscape? Consumers? If having a unique operating system is a desire of Netscape in the development of its product, then it ought to gather investors, developers, etc., to enable itself to achieve these developmental goals. Isn't that what most companies have to do? Microsoft successfully built and developed its concepts and products, relationships and consumer trust from ground up. They didn't try to jump on the coat tails of a larger company. Too expensive for consumers? If my limited knowledge of competition serves me correctly, then by Netscape building their own code, products and

relationships, it would actually facilitate true competition and even reduce prices (for consumers).

With that said, out of respect for the authority of the Department of Justice to pass judgment on whether or not it feels the Sherman Act has been violated, I acknowledge the decisions that have led to the Microsoft Settlement. While I do not agree with much of the settlement language, it takes two sides to reach an agreement. With two sides agreeing to a set of terms and to be bound by the settlement, I agree that a swift close to this matter would be of benefit both financially and mentally to the public.

I have been wanting to write this letter for over several weeks but have felt so strongly on some parts of this case, that I wanted to make sure and re-read the available public documents, then write with a clear mind and "cool jets" so to speak. My main concern when reading the complaints and settlement information is that of wanting reasonable justice and closure. I have been concerned foreseeing that Microsoft's competition would not honor the authority of the DOJ nor the binding settlement language; but rather, they would continue to pursue litigation after litigation. And as of January 23, 2002, unfortunately this foresight seems to be correct in reading that AOL is again suing Microsoft.

I believe that it is in the best interest of the public and our economy to strictly and completely enforce all terms of the settlement, and then ensure that Microsoft's competition is not allowed to make a mockery of the system by misinterpreting their role (if any) in the agreement. This kind of abuse would be a waste of money and time (which would stifle would-be creative developments for consumers). I also believe it would be detrimental to consumer confidence.

The decisions have been made. Let the DOJ and Microsoft carry out their parts of the agreement. Let the competing companies build their products to the best of their available resources (as with all businesses). Then let the consumers be free to choose their products and services.

Thank you greatly for your time.

Dawn Reagan
1765 Tullis Dr.
Coeur d'Alene, Idaho 83815
(208) 665-2317
dawney@toontakes.com